



Serial No.: 09/823,356

16C1  
Docket No.: PF-0489-1 CON

03CO  
Sequence  
List

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, Washington, D.C. 20231 on April 22, 2003

By: [Signature]

Printed: D. Ellis

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Tang et al.

Title: POLYNUCLEOTIDES ENCODING HUMAN MSP-9 PROTEIN (As Amended)

Serial No.: 09/823,356

Filing Date: March 30, 2001

Examiner: Murphy, J.

Group Art Unit: 1646

Commissioner for Patents  
Washington, D.C. 20231

**RECEIVED**

MAY 07 2003

TECH CENTER 1600/2900

**TRANSMITTAL FEE SHEET**

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Receipt Postcard;
2. Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (2 pp.);
3. Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (4 pp.);
4. Copies of Supplemental Information Disclosure Statement, Return Receipt Postcard, Transmittal Fee Sheet, Supplemental List of References Cited, and the label of the CD-R (which contained references 1-5), all submitted on August 29, 2002 (6 pp.); and
5. Limited Recognition (1 pg.).

The fee has been calculated as shown below:

X No additional Fee is required.

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

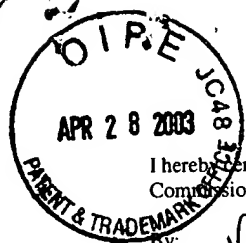
INCYTE CORPORATION

Date: April 22, 2003.

[Signature]  
Terence P. Lo  
Limited Recognition (37 C.F.R. 10.9 (b)) attached  
Direct Dial Telephone: (650) 621-8581

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3160 Porter Drive  
Palo Alto, California 94304  
Phone: (650) 855-0555  
Fax: (650) 845-4166





#15/RW  
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**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE  
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed by the United States Patent and Trademark Office on March 24, 2003 (copy attached), Applicants submit the following documents to clarify the status of the above-identified patent application:

1. Copies of Supplemental Information Disclosure Statement, Return Receipt Postcard, Transmittal Fee Sheet, Supplemental List of References Cited, and the label of the CD-R (which contained references 1-5), all submitted on August 29, 2002 (6 pp.).

Applicants respectfully submit that the CD-R submitted on August 29, 2002, contained Adobe Acrobat (.pdf) files of cited references from the Supplemental Information Disclosure Statement. As stated in the Supplemental Information Disclosure Statement (copy attached), references 1-5 were submitted in computer-readable form in order to reduce the burden of printing, mailing, receiving, storing, and handling, which would have been inflicted on both the Applicants and the USPTO if the references were submitted in paper form.

Applicants therefore respectfully request the withdrawal of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence

Disclosures, as the CD-R filed on August 29, 2002, did not contain a sequence listing disclosure. The sequence listing submitted upon the filing of the above-identified patent application on March 30, 2001, has been accepted (per Examiner Joseph Murphy, April 16, 2003), and is the proper sequence listing for the instant application.

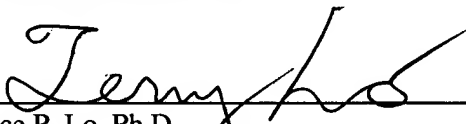
Applicants believe that a fee is not necessary with this communication. However, if the Commissioner determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) Deposit Account No. 09-0108.

If there are any questions regarding the above, the Examiner is invited to call the undersigned.

Respectfully submitted,

INCYTE CORPORATION

Date: April 22, 2003.

  
Terence P. Lo, Ph.D.  
' Limited Recognition (37 C.F.R. 10.9(b) ) attached  
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